

**EXHIBIT 1**

**REDACTED VERSION**

**OF DOCUMENT**

**SOUGHT TO BE SEALED**

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WAYMO LLC, )  
Plaintiff, )  
vs. ) Case No.  
UBER TECHNOLOGIES, INC.; ) 17-cv-00939-WHA  
OTTOMOTTO, LLC; OTTO TRUCKING LLC, )  
Defendants. )

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF MICHAEL J. WAGNER

San Francisco, California

Friday, September 22, 2017

Volume I

Reported by:

MARY J. GOFF

CSR No. 13427

Job No. 2714429

PAGES 1-145

Page 1

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

1           A     I don't know the answer to that question.           10:32:01

2           Q     Sir, would you please turn to the page           10:32:12

3     ending in 566?           10:32:15

4           A     Yes.           10:32:18

5           Q     And do you see at the top of the page that           10:32:19

6     this page is called "Launch Schedule"?           10:32:21

7           A     Yes.           10:32:25

8           Q     And the table has a bear case, a base           10:32:25

9     case, and a bull case?           10:32:30

10          A     Yes.           10:32:32

11          Q     And in this case, sir, you used the base           10:32:33

12     case; is that fair?           10:32:36

13          A     Correct.           10:32:38

14          Q     According to the launch schedule in this           10:32:40

█ [REDACTED] █

█ [REDACTED] █

█ [REDACTED] █

█     █ [REDACTED] █

█ [REDACTED] █

█     █ [REDACTED] █

█ [REDACTED] █

█ [REDACTED] █

█     █ [REDACTED] █

█ [REDACTED] █

█     █ [REDACTED] █

█ [REDACTED] █

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

1 A As far as I know, they have not. 10:33:09

2 Q The assumption -- 10:33:09

3 THE COURT REPORTER: Wait. 10:33:09

4 [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

## HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

1 Q And some of these other systems include 11:14:29  
2 cameras? 11:14:31  
3 A Yes. 11:14:32  
4 Q Radar? 11:14:32  
5 A Yes. 11:14:33  
6 Q Sonar? 11:14:35  
7 A I don't think in your client's product -- 11:14:36  
8 or my client's product, but I think some people have 11:14:38  
9 suggested using sonar. 11:14:41  
10 Q Software? 11:14:43  
11 A Clearly. 11:14:44  
12 Q And the vehicle itself? 11:14:45  
13 A Certainly. 11:14:48  
14 Q Your -- your report, sir, does not discuss 11:14:52  
15 how a trade secret related to LiDAR could advance 11:14:55  
16 development of these other systems, does it? 11:15:00  
17 A No. I think that many of those other 11:15:03  
18 systems -- not all, but some -- are dependent upon 11:15:05  
19 the finalization of your LiDAR development. But 11:15:10  
20 that's really a technical question. I'm not giving 11:15:13  
21 an independent opinion. I think Dr. Hesselink will 11:15:16  
22 do that. And I'm relying upon his judgment. 11:15:19  
23 Q So looking only now, sir, at the work that 11:15:23  
24 you did -- that you personally did, you're not 11:15:25  
25 saying that advancing LiDAR is going to have an 11:15:28

Page 84

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

1 I, MARY J. GOFF, CSR No. 13427, Certified  
2 Shorthand Reporter of the State of California,  
3 certify;

4 That the foregoing proceedings were taken  
5 before me at the time and place herein set forth, at  
6 which time the witness declared under penalty of  
7 perjury; that the testimony of the witness and all  
8 objections made at the time of the examination were  
9 recorded stenographically by me and were thereafter  
10 transcribed under my direction and supervision; that  
11 the foregoing is a full, true, and correct  
12 transcript of my shorthand notes so taken and of the  
13 testimony so given;

14 That before completion of the deposition,  
15 review of the transcript ( ) was (XX) was not  
16 requested: ( ) that the witness has failed or  
17 refused to approve the transcript.

18 I further certify that I am not financially  
19 interested in the action, and I am not a relative or  
20 employee of any attorney of the parties, nor of any  
21 of the parties.

22 I declare under penalty of perjury under the  
23 laws of California that the foregoing is true and  
24 correct, dated this 23rd day of September, 2017.

25 

MARY J. GOFF, CSR No. 13427